

Sherwood, Sweeney, Rehberg, Carter, Lewis of California, Mrs. Lowey, Mr. Jackson of Illinois, Ms. Kilpatrick of Michigan, Messrs. Rothman, Fattah, and Obey.

Page H9330

Lawsuit Abuse Reduction Act of 2005: The House passed H.R. 420, to amend Rule 11 of the Federal Rules of Civil Procedure to improve attorney accountability, by a recorded vote of 228 ayes to 184 noes, Roll No. 553.

Pages H9282–89, H9312–29

Rejected the Barrow motion to recommit the bill to the Committee on the Judiciary with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 196 ayes to 217 noes, Roll No. 552.

Pages H9327–29

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill shall be considered as an original bill for the purpose of amendment and shall be considered as read.

Pages H9282–83

Agreed to:

Smith of Texas Manager's amendment (no. 1 printed in H. Rept. 109–253) which includes provisions imposing sanctions for the destruction of relevant documents in a pending Federal court proceeding; provisions for setting standards for a court's determination that certain court records should be sealed; and provisions providing for a presumption of a Rule 11 violation when the same issue is repeatedly relitigated. It also includes a clarification that makes clear that, in the anti-forum shopping provisions, if there is no State court in the county in which the injury occurred, the case can be brought in the nearest county where a court of general jurisdiction is located. The manager's amendment also makes clear that it does not affect personal injury claims that Federal bankruptcy law requires be heard in a Federal bankruptcy court.

Pages H9319–20

Rejected:

Schiff amendment in the nature of a substitute (no. 2 printed in H. Rept. 109–253) which sought to provide strong "three strikes and you're out" mandatory sanctions for attorneys who file frivolous lawsuits or engage in frivolous conduct during discovery. It enhances sanctions for document destruction, ensures that corporations can be sued in the U.S., cracks down on parties attempting to relitigate the same issue on consecutive occasions, bans the concealment of unlawful conduct, and protects civil rights claims, (by a recorded vote of 184 ayes to 226 noes, Roll No. 551).

Pages H9320–27

H. Res. 508, the rule providing for consideration of the bill was agreed to by voice vote, after agreeing to order the previous question.

Page H9312

Special Postage Stamp for Breast Cancer Research: The House agreed by unanimous consent to S. 37, to extend the special postage stamp for breast cancer research for 2 years—clearing the measure for the President.

Pages H9330–31

Senate Message: Messages received from the Senate today appear on pages H9293, H9329.

Senate Referrals: S. 939 was referred to the Committee on Transportation and Infrastructure and S. 1285 was held at the desk.

Page H9359

Quorum Calls—Votes: Three yea-and-nay votes, and four recorded votes developed during the proceedings of today and appear on pages H9308–09, H9309, H9310, H9326–27, H9328, H9329, H9329–30. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 8:43 p.m.

Committee Meetings

CYBER SECURITY

Committee on Armed Services: Asymmetric and Unconventional Threats Panel held a hearing on Cyber Security, Information Assurance and Information Superiority. Testimony was heard from public witnesses.

BUDGET RECONCILIATION

Committee on Education and the Workforce: Began markup of amendments to the Family Education Reimbursement Act of 2005 for transmission to the Committee on the Budget to comply with the reconciliation directive included in section 201(a) of the Concurrent Resolution on the Budget for Fiscal Year.

Will continue tomorrow.

BUDGET RECONCILIATION

Committee on Energy and Commerce: Approved, as amended, reconciliation recommendations for Title II, Medicaid, Katrina Health Care Relief, and Katrina and Rita Energy Relief, for transmission to the Committee on the Budget in compliance with the reconciliation directive included in section 201(a) of the Concurrent Resolution on the Budget for Fiscal Year 2006.

MISCELLANEOUS MEASURES; BUDGET RECONCILIATION

Committee on Financial Services: Ordered reported the following bills: H.R. 3909, amended, Hurricane Check Cashing Relief Act of 2005; H.R. 4133, National Flood Insurance Program Further Enhanced Borrowing Authority Act of 2005; and H.R. 4146, Hurricane Rita and Wilma Financial Services Relief Act of 2005.

The Committee also approved for transmission to the Committee on the Budget in compliance with

the reconciliation directive in section 201(a) of the Concurrent Resolution on the Budget for Fiscal Year 2006 the following recommendations: Deposit Insurance Reform; and, as amended, FHA Asset Disposition.

DHS—SECOND-STATE REVIEW: ROLE OF THE CHIEF MEDICAL OFFICER

Committee on Homeland Security: Subcommittee on Management, Integration, and Oversight held a hearing entitled “The Department of Homeland Security Second-State Review: The Role of the Chief Medical Officer.” Testimony was heard from Jeffrey W. Runge, M.D., Chief Medical Officer, Department of Homeland Security; and public witnesses.

NUCLEAR INCIDENT RESPONSE TEAMS

Committee on Homeland Security: Subcommittee on Prevention of Nuclear and Biological Attack held a hearing entitled “Nuclear Incident Response Teams.” Testimony was heard from Joseph Krol, Associate Administrator, Department of Energy; and John Lewis, Deputy Assistant Director, FBI, Department of Justice.

NORTH KOREAN HUMAN RIGHTS ACT

Committee on International Relations: Subcommittee on Africa, Global Human Rights and International Operations and the Subcommittee on Asia and the Pacific held a joint hearing on Lifting the Veil: Getting the Refugees Out, Getting Our Message In: An Update on the Implementation of the North Korean Human Rights Act. Testimony was heard from public witnesses.

U.S. COUNTERTERRORISM STRATEGY UPDATE

Committee on International Relations: Subcommittee on International Terrorism and Nonproliferation held a hearing on the U.S. Counterterrorism Strategy Update. Testimony was heard from Henry A. Crumpton, Coordinator for Counterterrorism, Department of State.

U.S. SECURITY POLICY—CENTRAL ASIA

Committee on International Relations: Subcommittee on the Middle East and Central Asia held a hearing on U.S. Security Policy in Central Asia. Testimony was heard from Representative Smith of New Jersey; and Daniel Fried, Assistant Secretary, Bureau of European and Eurasian Affairs, Department of State.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Ordered reported, as amended, the following bills: H.R. 1751, Secure Access to Justice and Court Protection Act of 2005; H.R. 4128, Private Property Rights Protection Act

of 2005; and H.R. 4093, Federal Judgeship and Administrative Efficiency Act of 2005.

STRENGTHENING THE OWNERSHIP OF PRIVATE PROPERTY ACT OF 2005

Committee on Resources: Held a hearing on H.R. 3405, Strengthening the Ownership of Private Property Act of 2005. Testimony was heard from Representatives Bonilla and Otter; and public witnesses.

OVERSIGHT—FISHERY CONSERVATION

Committee on Resources: Held an oversight hearing on the Operations of the Regional Fishery Management Councils and the Reauthorization of the Magnuson-Stevens Fishery Conservation and Management Act. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on Forests and Forest Health held a hearing on the following bills: H.R. 1090, to designate a Forest Service trail at Waldo Lake in the Willamette National Forest in the State of Oregon as a national recreation trail in honor of Jim Weaver, a former Member of the House of Representatives; H.R. 3603, Central Idaho Economic Development and Recreation Act; H.R. 3817, Valle Vidal Protection Act of 2005; and H.R. 4084, to amend the Forest Service use and occupancy permit program to restore the authority of the Secretary of Agriculture to utilize the special use permit fees collected by the Secretary in connection with the establishment and operation of marinas in units of the National Forest System derived from the public domain. Testimony was heard from Representative Herger; Joel Holtrop, Deputy Chief, National Forest System, Forest Service, USDA; Ed Shepard, Assistant Director, Renewable Resources and Planning, Department of the Interior; and public witnesses.

CONFERENCE REPORT—AGRICULTURAL APPROPRIATIONS

Committee on Rules: Granted, by voice vote, a rule waiving all points of order against the conference report to accompany H.R. 2744, Agriculture, Rural Development, Food and Drug Administration, and Related Appropriations Act, 2006, and against its consideration. The rule provides that the conference report shall be considered as read. Testimony was heard from Representative Bonilla.

NASA—FINANCIAL MANAGEMENT

Committee on Science: Subcommittee on Space and the Subcommittee on Government Management, Finance, and Accountability of the Committee on Government Reform held a joint hearing on Financial Management at NASA: Challenges and Next Steps. Testimony was heard from the following officials of

NASA: Gwendolyn Sykes, Chief Financial Officer; Robert Cobb, Inspector General; and Patrick Ciganer, Program Executive Officer, Integrated Enterprise Management; and Gregory Kutz, Managing Director, Forensic Audit and Special Investigations, GAO.

OVERSIGHT—GULF COAST REBUILDING

Committee on Transportation and Infrastructure: Subcommittee on Highways, Transit and Pipelines held an oversight hearing on Rebuilding Highway and Transit Infrastructure on the Gulf Coast following Hurricane Katrina—State and Local Officials. Testimony was heard from the following officials of the State of Louisiana: Johnny B. Bradley, Secretary, Department of Transportation and Development; and William Deville, General Manager, Regional Transit Authority, New Orleans; the following officials of the Department of Transportation, State of Mississippi: Dick Hall, Central District Commissioner; and Wayne H. Brown, Southern District Commissioner; and Don Vaughn, Chief Engineer, Department of Transportation, State of Alabama.

OVERSIGHT—HURRICANE AND FLOOD RISK REDUCTION

Committee on Transportation and Infrastructure: Subcommittee on Water Resources and Environment held an oversight hearing on Reducing Hurricane and Flood Risk in the Nation. Testimony was heard from public witnesses.

BRIEFING—NYC TERRORISM THREAT REPORTING

Permanent Select Committee on Intelligence: Subcommittee on Terrorism, Human Intelligence, and Counterintelligence met in executive session to receive a briefing on New York City Terrorism Threat Reporting. The Subcommittee was briefed by departmental witnesses.

HURRICANE KATRINA

Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina: Held a hearing entitled “Hurricane Katrina: Preparedness and Response by the Department of Defense, the Coast Guard, and the National Guard of Louisiana, Mississippi, and Alabama.” Testimony was heard from the following officials of the Department of Defense: Paul McHale, Assistant Secretary, Homeland Defense; ADM Timothy J. Keating, USN, Commander, North American Aerospace Defense Command and U.S. Northern Command; LTG H. Steven Blum,

USA, Chief, National Guard Bureau; MG Bennett C. Landreneau, USA, The Adjutant General, State of Louisiana; MG Harold A. Cross, USA, The Adjutant General, State of Mississippi; and MG C. Mark Bowen, USA, The Adjutant General, State of Alabama; and RADM R. Dennis Sirois, USCG, Assistant Commandant for Operations, U.S. Coast Guard, Department of Homeland Security.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, p. D 1075)

S. 397, to prohibit civil liability actions from being brought or continued against manufacturers, distributors, dealers, or importers of firearms or ammunition for damages, injunctive or other relief resulting from the misuse of their products by others. Signed on October 26, 2005. (Public Law 109–92)

S. 55, to adjust the boundary of Rocky Mountain National Park in the State of Colorado. Signed on October 26, 2005. (Public Law 109–93)

S. 156, to designate the Ojito Wilderness Study Area as wilderness, to take certain land into trust for the Pueblo of Zia. Signed on October 26, 2005. (Public Law 109–94)

COMMITTEE MEETINGS FOR FRIDAY, OCTOBER 28, 2005

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

Committee on Agriculture, to consider reconciliation instructions pursuant to the Conference Report to accompany H. Con. Res. 65, Establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010, 9:30 a.m., 1300 Longworth.

Committee on Education and the Workforce, to continue mark up of amendments to the Family Education Reimbursement Act of 2005 for transmission to the Committee on the Budget to comply with the reconciliation directive included in section 201(a) of the Concurrent Resolution on the Budget for Fiscal Year 10 a.m., 2175 Rayburn.

Committee on Government Operations, hearing entitled “Justice for All: An Examination of the District of Columbia Juvenile Justice System.” 10 a.m., 2154 Rayburn.